



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

US EPA RECORDS CENTER REGION 5



461433

REPLY TO THE ATTENTION OF:

December 20, 2002

J. C. Whitlam Manufacturing Co.  
Attn: Steve Carey  
P.O. Box 380  
Wadsworth, OH 44282-0380

Dear Sir or Madam:

As you know, the company you represent, **J C Whitlam Mfg.**, has been identified by U.S. EPA as a potentially responsible party (PRP) at the Chemical Recovery Systems Site (CRS Site) in Elyria, Ohio. This letter is being sent to offer you an opportunity to enter into a *de minimis* settlement with the United States to resolve your alleged liability under the Comprehensive Environmental Response Compensation and Liability Act (CERCLA) for all past response costs incurred by the United States at the CRS Site and for anticipated future response costs which the United States expects it may incur at that Site. A copy of the Administrative Order on Consent (Consent Order) which will express the agreements of the settling parties is enclosed with this letter. The enclosed Consent Order contains provisions for contribution protection and a covenant not to sue. The enclosed Consent Order, when fully executed, with the signature pages of all settling PRPs and the signature of the Superfund Division Director, will be forwarded to U.S. Department of Justice for approval, and notice of the terms of the settlement will be published in the Federal Register. After this notice, and consideration of comments received, the terms of the Order will become final. U.S. EPA is prepared to settle its claims against you for **\$5,000.00.**

#### **VOLUMETRIC RANKING**

Previously, U.S. EPA has sent you a copy of a revised volumetric ranking compiled by U.S. EPA for this Site. U.S. EPA has already given all PRPs several opportunities to question the process by which the volumetric ranking was reached or the specific quantity attributed to individual PRPs by that ranking. If **J C Whitlam Mfg.** has any additional information to provide or believes that the volume attributed to **J C Whitlam Mfg.** is in error, you may request a waste quantity review by U.S. EPA. **The deadline to apply for a waste quantity review is January 24, 2003.** U.S. EPA will not consider any requests for a waste quantity review submitted after that date.